

Dorothy G. Bunce, Esq.  
Nevada Bar No. 0756  
A FRESH START  
2037 Franklin Ave  
Las Vegas, Nevada 89104  
(702) 456-1920  
[1bankruptcy@cox.net](mailto:1bankruptcy@cox.net)  
Attorney for MAHVASH MORVARI

*E Filed on May 4, 2009*

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

IN RE:	)	Case No: 09-12960lbr
	)	Chapter 13
MAHVASH MORVARI	)	Trustee Rick A Yarnall
	)	Date: <u>6/11/09</u>
Debtor.	)	Time: <u>3:30 pm</u>

**AMENDED NOTICE OF HEARING ON AMENDED MOTION TO AVOID LIEN**

TO: GMAC MORTGAGE, RICK A YARNALL and ALL PARTIES IN INTEREST.

NOTICE IS HEREBY GIVEN that the undersigned filed a Motion to Avoid Lien. A hearing has been scheduled to take place at the time and date set forth above. The hearing seeks to remove the lien created by a Deed of Trust securing a loan that GMAC Mortgage made to Mohammad Oshtrinani on real property now owned by the Debtor located at 3135 Montessouri Street, Las Vegas, Nevada 89117-3147.

If you object to the relief requested, you *must* file a **WRITTEN** response to this pleading with the Court. You *must* also serve your written response on the person who sent you this notice.

If you do not file a written response with the court, or if you do not serve your written response on the person who sent you this notice, then:

- The court may *refuse to allow you to speak* at the scheduled hearing; and
- The court may *rule against you* without formally calling the matter at the hearing.

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Any opposition to this Motion must be made as provided by Local Rule 9014(d)(1),<sup>1</sup> which requires that such opposition be timely filed with the Court and served not more than fifteen (15) days after the motion has been served.

Further, if an objection is not timely filed and served, the relief requested may be granted without a hearing under LR 9014(d)(3).<sup>2</sup>

NOTICE IS FURTHER GIVEN that the hearing on the Motion referred to herein is scheduled to be before a United States Bankruptcy Judge, at the Foley Federal Building, 300 Las Vegas Blvd S., Third Floor, Las Vegas, Nevada at the date and time stated above.

DATED: May 4, 2009.

A FRESH START  
/s/ Dorothy G Bunce  
By: Dorothy G. Bunce, Esq.  
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Las Vegas, Nevada 89104  
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[1bankruptcy@cox.net](mailto:1bankruptcy@cox.net)  
Attorney for MAHVASH MORVARI

<sup>1</sup> **LR 9014. MOTION PRACTICE AND CONTESTED MATTERS - BRIEFS AND MEMORANDA OF LAW.**

(d) Opposition, response, and reply.

(1) Oppositions to a motion must be filed and service must be completed on the movant no later than 15 days after the motion is served except as provided by LR 3007(b) and LR 9006. If the hearing has been set on less than 15 days' notice, the opposition must be filed no later than 5 business days before the hearing, unless the court orders otherwise. The opposition must set forth all relevant facts and any relevant legal authority. An opposition must be supported by affidavits or declarations that conform to the provisions of subsection (c) of this rule.

(2) Except as provided by LR 3007(b), LR 7056(c), and LR 9006, any reply memorandum may be filed and served so as to be received by the court and the opposing party no later than 5 business days before the date set for hearing or within the time otherwise fixed by the court.

<sup>2</sup> **LR 9014. MOTION PRACTICE AND CONTESTED MATTERS - BRIEFS AND MEMORANDA OF LAW.**

(d) Opposition, response, and reply.

(3) Uncontroverted facts may be taken as true. If no response or opposition is filed within the time required by these rules, the matter will be deemed unopposed, the court may enter an order granting the relief requested in the motion without further notice and without a hearing, and no appearance need be made. At the time originally set for hearing unopposed matters, the court may on its own or at the request of any party in interest continue the matter for hearing, in which case an appearance on behalf of the movant will be required at the continued hearing.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that I mailed a copy of the Debtor's *Amended Notice of Hearing on Motion and Amended Motion to Avoid Lien* filed on May 4, 2009 in the above entitled case by first class United States Mail, postage prepaid to the following parties at the addresses indicated.

GMAC MORTGAGE  
Attention: Officer, Managing or General Agent  
4375 Jutland Dr Ste 200  
PO Box 17933  
San Diego, CA 92117-0933

RICK A YARNALL  
Chapter 13 Trustee  
701 Bridger Ave Ste 820  
Las Vegas NV 89101

Dated: May 4, 2009.

*/s/ Dorothy G Bunce*

Original Signature

An Employee of A FRESH START

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